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Wal-Mart Stores, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LINDA FOWLER,

Plaintiff,

v.

WAL-MART STORES, INC., a Delaware
Limited Liability Company dba WALMART
SUPER CENTER #5070; DOES I through X
and ROE CORPORATIONS VI through X,
inclusive,

Defendants.

Case No.: 2:16-cv-00450-JCM-GWF

**STIPULATION ESTABLISHING
PARAMETERS FOR FRCP 34 SITE
INSPECTION BY PLAINTIFF LINDA
FOWLER**

COMES NOW, Plaintiff LINDA FOWLER, by and through her counsel of record, the law firm of INJURY LAWYERS OF NEVADA, and Defendant WAL-MART STORES, INC. (“Walmart”), by and through its counsel of record, the law firm of PHILLIPS, SPALLAS & ANGSTADT LLC, and pursuant to the provisions of FRCP 34(a)(2)(b)(1), the parties agree, and hereby stipulate, that the inspection shall be conducted within the following parameters:

At 11:00 a.m., on October 13, 2016, at the premises of Walmart Store No. 5070, located at 5200 South Fort Apache, Las Vegas, Nevada 89148, Defendant shall permit Plaintiff, Linda Fowler; Plaintiff’s counsel, Jared Anderson, Esq.; and Plaintiff’s designated liability expert, Frank Perez, Ph.D. (collectively, “Plaintiff’s group”) entry upon designated land or other property in control of the party upon whom request is served for the express purposes of inspection, measurement, surveying, photography, and non-destructive and non-invasive testing of the property, specifically a section of the

1 floor in the Home and Garden area where the Plaintiff allegedly fell on October 27, 2013, and the
 2 surrounding area for a distance of up to twenty (20) feet in any or all directions from the location of
 3 Plaintiff's alleged fall, using only manual and visual inspection, measuring and surveying tools, such
 4 as a hand-operated English XL device or similar device to measure coefficient of friction.

5 Members of Plaintiff's group may utilize still photography of the area upon which Plaintiff fell
 6 on October 27, 2013, and the surrounding area for a distance of up to twenty (20) feet in any or all
 7 directions from the location of Plaintiff's alleged fall, but may not create a videotape or recording of
 8 any kind. No member of Plaintiff's group shall speak to any member of Walmart personnel during the
 9 inspection. The inspection shall be completed within two (2) hours.

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 11 DATED this 11th day of October, 2016.

DATED this 11th day of October, 2016.

12 **INJURY LAWYERS OF NEVADA**

PHILLIPS, SPALLAS & ANGSTADT LLC

13 /s/ Jared Anderson
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17 *Attorneys for Plaintiff*
 18 *Linda Fowler*

Attorneys for Defendant
Wal-Mart Stores, Inc.

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 21 IT IS SO ORDERED.

22 DATED this ^{13th} day of October, 2016.

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 24 UNITED STATES MAGISTRATE JUDGE
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